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OFFICE OF PETITIONS

Applicant: Carlson
Appl. No.: 10/789,974
Filing Date: February 27, 2004
Title: METHODS OF EVALUATING UNDERSATURATED COALBED METHANE
RESERVOIRS
Attorney Docket No.: Yates-CPD-US-NProv
Pub. No.: US 2005/0194133 A1
Pub. Date: September 8, 2005

This is a decision on the paper titled a "Request for Correction Of Patent Application Publication," received on October 24, 2005, for the above-identified application

The request is DISMISSED.

Applicant requests that the application be republished because the patent application publication contains a material error in paragraph [0052] of the specification wherein the mathematical formula " $bp = f^{-1}(R_{sw})$," is misprinted as " $bp = f^1(R_{sw})$,".

37 CFR 1.221(b) is applicable "only when the Office makes a material mistake which is apparent from Office records." A material mistake must affect the public's ability to appreciate the technical disclosure of the patent application publication, to determine the scope of the patent application publication, or to determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent.¹

The instant request does not identify a material mistake in the publication made by the office under 37 CFR 1.221(b). The application was correctly published with the mathematical formula " $bp = f^1(R_{sw})$," as it appears on page 27, line 4 of the specification as filed.

If it is an Office error, it is due to the poor quality of the text in the formula, as the formula appears to be " $bp = f^1(R_{sw})$," without a negative sign before the one. Applicants have been advised to file applications having cleaner and larger text with sufficient clarity and contrast to permit reproduction, such as electronic reproduction by digital imaging and optical character recognition, which will avoid errors in the patent application publication process. See 37 CFR 1.52.

¹ Changes to Implement Eighteen-Month Publication of Patent Applications, 65 FR 57023, 57038 (Sept. 20, 2000), 1239, Off. Gaz. Pat. Office Notices 63, 75 (Oct. 10, 2000) (final rule).

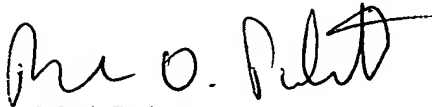
The applicant is advised that a "request for republication of an application previously published" may be filed under 37 CFR 1.221 (a). Such a request for republication "must include a copy of the application compliance with the Office's electronic filing system requirements and be accompanied by the publication fee set forth in § 1.18 (d) and the processing fee set forth in § 1.17 (i)." If the request for republication does not comply with the electronic filing system requirements, the republication will not take place and the publication fee set forth in § 1.18 (d) will be refunded. The processing fee will be retained.

Any request for republication under 37 CFR 1.221(a), must be submitted via the EFS system and questions or request for reconsideration of the decision, should be addressed as follows:

By mail to: Mail Stop PGPUB
Commissioner for Patents
P.O. Box 1450
Alexandria, Va. 22313-1450

By facsimile: 571-273-8300

Inquiries relating to this matter may be directed to Mark Polutta at (571) 272-7709 (voice).

A handwritten signature in black ink, appearing to read "Mark Polutta", with a stylized flourish at the end.

Mark Polutta
Senior Legal Advisor
Office of Patent Legal Administration
Office of the Deputy Commissioner
for Patent Examination Policy